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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/630,572

08/03/2000

Hiroki Yoshida

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9613

7590

07/24/2006

McDermott Will & Emery
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Washington, DC 20005-3096

EXAMINER

BAKER, CHARLOTTE M

ART UNIT

PAPER NUMBER

2625

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/630,572

Applicant(s)

YOSHIDA, HIROKI

Examiner

Charlotte M. Baker

Art Unit

2625

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 July 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

With regard to Applicant's argument that the Examiner has not identified which unit is the edge detecting means, Examiner respectfully traverses. Attention is drawn to the Office Action (p. 2), "Kuwata et al. disclose edge detecting means (Fig. 1, image processor 20)". In addition, Applicant does not set forth in the Specification which part of the CPU performs edge detection, but it does take place. Examiner interprets that a portion of image processor 20 performs edge detection.

With respect to Applicant's argument that Kuwata et al. do not disclose an edge detecting means for determining the presence or absence of an edge at each pixel and detecting a position of the edge, Examiner respectfully traverses. It is clear at (col. 10, ln. 5-12) that the pixel is judged to be an edge pixel or not (see also col. 4, ln. 28-32 and col. 11, ln. 3-17 and Fig. 6). Additionally, Applicant argues that Kuwata et al. do not disclose position of the edge, Examiner respectfully traverses. First, each edge pixel is labeled by its position (x,y). Second, f_x and f_y are the X-directional difference value and Y-directional difference value respectively (see col. 10, ln. 5-12; col. 10, ln. 25-30 and Eq. 2 and 3). Last, a vector also contains coordinates that relate to a "position".

With regard to Applicant's argument that Kuwata et al. do not disclose "selecting means for selecting a weighting matrix corresponding to the position of the edge of each target pixel determined to have an edge by said detecting means", Examiner respectfully traverses. Attention is drawn to Figs. 18-20. Also, it is clear from Eq. 8 that the unsharp part is based on the edge amount. The weighting matrix is selected to produce unsharp (see col. 13, ln. 29-38 and col. 13, ln. 51-64). In addition, it is clear from the cited

portions shown on Applicant's p.7 that selection of the weighting matrix is disclosed by Kuwata et al. (see at least, "In the three unsharp masks 41 to 43 having different numbers of rows and columns, as the mask is greater, the weighting with respect to the peripheral pixels around a pixel of interest is greater, while the weighting gradually decreases toward distant pixels. In other words, as the mask is greater, the weighting characteristic as a low-pass filter increases, and the generation of high frequency component can be made more easily in accordance with equation (8)").

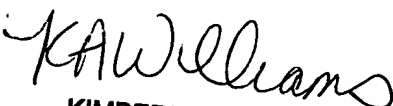
With respect to Applicant's argument that Kuwata et al. do not disclose enhancement range determining means for determining a range of edge enhancement of each target pixel determined to have an edge, Examiner respectfully traverses. Attention is drawn to Eq. 8, if Eenhance was set equal to 2, the range of enhancement would then be from 0 to 2. If Eenhance is set to 3, the range of enhancement becomes from 0 to 3. If Eenhance is set to 0, no enhancement takes place. Therefore, Eq. 8 is relevant to the claimed invention considering the range of edge enhancement.

With regard to Applicant's arguments regarding deficiencies of Kuwata et al. in claim 2, Examiner respectfully traverses. The current claim language can be interpreted as an increase in both sides (interior and exterior), so suppose a (interior side) and b (exterior side) are both increased, this would include a (interior side) and would meet the claimed invention. If it is meant that the case is concerning the interior side only, that language should be incorporated into the claim.

With regard to Applicant's arguments regarding deficiencies of Kuwata et al. in claim 4, Examiner respectfully traverses. Claim 4 can be interpreted as selecting a weighting matrix in four directions based on whether it is an edge or not. If this is the case, attention is drawn to Figs. 18-20 and the target pixel ("100" in all three cases). The four directions would be up, down, left and right of the target pixel.

With regard to Applicant's arguments regarding deficiencies of Kuwata et al. in claim 6, Examiner respectfully traverses. Attention is again drawn to Figs. 18-20 and the relationship of the weight applied depending on the distance away from the target pixel ("100"). Examiner relied upon background information leading up to the three unsharp masks (41 to 43). See at least (col. 13, ln. 29-38). Examiner interprets this to meet the claimed invention.

In conclusion, Examiner maintains that Kuwata et al. disclose Applicant's claimed invention.


KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER